

Amendment No. 1 to SB2475

Johnson
Signature of Sponsor

AMEND Senate Bill No. 2475

House Bill No. 2304*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-226(d)(1), is amended by deleting the language:

In addition to attorneys' fees provided for in this section, the court of workers' compensation claims may award reasonable attorneys' fees and reasonable costs, including reasonable and necessary court reporter expenses and expert witness fees, for depositions and trials incurred when the employer:

and substituting instead the language:

In addition to attorneys' fees provided for in this section, the court of workers' compensation claims may award reasonable attorneys' fees and reasonable costs, including, but not limited to, reasonable and necessary court reporter expenses and expert witness fees for depositions and trials, incurred when the employer:

SECTION 2. Tennessee Code Annotated, Section 50-6-226(d)(1)(B), is amended by deleting the subdivision and substituting instead the following:

Wrongfully denies a claim or wrongfully fails to timely initiate any of the benefits to which the employee or dependent is entitled under this chapter, including medical benefits under § 50-6-204, temporary or permanent disability benefits under § 50-6-207, or death benefits under § 50-6-210 if the workers' compensation judge makes a finding that the benefits were owed at an expedited hearing or compensation hearing. For purposes of this subdivision (d)(1)(B), "wrongfully" means erroneous, incorrect, or otherwise inconsistent with the law or facts.

Senate Commerce and Labor Committee 1

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SECTION 3. Tennessee Code Annotated, Section 50-6-226(d)(2), is amended by deleting the language "2018" and substituting instead the language "2020".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to injuries occurring on or after that date.